

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ALAN MARTIN,

Plaintiff,

v.

No. 9:03-CV-981
(S.J. Scullin)

GLENN GOORD, et al.,

Defendants,

APPEARANCES:

ALAN MARTIN
Plaintiff, Pro Se

ELIOT SPITZER
Attorney General of the
State of New York

OF COUNSEL:

STEPHEN M. KERWIN
Asst. Attorney General

FREDERICK J. SCULLIN, JR., S.J.:

DECISION AND ORDER

The above-captioned matter having been presented to me by the Report-Recommendation of Magistrate Judge Gustave J. DiBianco dated April 19, 2006 and filed April 20, 2006, and the Court having reviewed the Report-Recommendation and the entire file in this matter, and no objections to said Report-Recommendation having been filed, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge Gustave J. DiBianco dated April 19, 2006 and filed April 20, 2006

is **ACCEPTED** in its entirety, for the reasons stated therein; and it is further

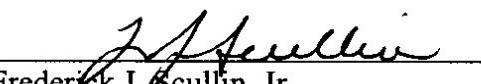
ORDERED, that defendants' motion to dismiss is **GRANTED**, and it is further

ORDERED, that the amended complaint is hereby **DISMISSED** in its entirety, and it is further

ORDERED, that the Clerk of the Court is to enter judgment in favor of the defendants and close this case.

IT IS SO ORDERED.

DATED: May 9, 2006
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge